



OREGON
Fire Marshals
ASSOCIATION

OREGON FIRE CODE Joint Policy Bulletin

A collaborative service to provide consistent and concise application of Oregon's fire prevention and life safety regulations.

Date: December 9, 2019

Initiating: Joint Policy Bulletin No. 0004

Subject: New requirements for Motor Vehicle Dismantlers

Code References: 2019 Oregon Fire Code, Sections 105.6.46, 107.2.3.1, 403.13 and 3401.3
Senate Bill 792 (2019), Oregon Revised Statutes ORS 822.110

Advice: Identify the motor vehicle dismantler facilities in your jurisdiction and incorporate requested annual dismantler fire and life-safety inspections into your prevention program.

Background: During the 2019 legislative session, State lawmakers passed Senate Bill 792 which made several changes to the current Oregon Department of Transportation (ODOT), Driver and Motor Vehicle Services Division (DMV), auto dismantler program. Revisions include reducing the certification period from three years to one year, lowering the certification fee from \$800 to \$500, requiring a fire response plan approved by DMV in accordance with Oregon Administrative Rule (OAR) 735-152-0005, and proof of any applicable permits required by Oregon Department of Environmental Quality. This rule is enforced by the Oregon Department of Transportation.

Process: SB 792 requires dismantler businesses to have premises inspected annually by local fire departments and furnish written reports to DMV. A copy of the local fire inspector's report will be based on an inspection of the applicant's business premises, conducted within 12 months preceding the expiration date of the applicant's current certificate, and is required for each dismantler location for which the applicant seeks certification renewal. It is the responsibility of the business owner to request the inspection from the local fire department within a reasonable time frame. The written inspection notice/report from the local fire department will be sufficient per DMV. A copy of the inspection notice/report shall be provided to the dismantler facility. The facility will include the report with their renewal application packet to DMV. These rule amendments will be effective as of January 1, 2020.

Compliance: The 2019 Oregon Fire Code includes existing and new requirements for motor vehicle dismantlers and tire storage facilities. Operational permits are required for "wrecking

yards” in accordance with Section 105.6.49. The required annual inspection of motor vehicle dismantlers is located in Section 107.2.3.1. Chapter 4 outlines emergency preparedness through a fire response plan. Chapter 34 addresses one of the main components of fire risk at these facilities, namely, tire storage. The requirements of Chapter 34 are intended to minimize the impact of tire storage fires by segregating the various operations and controlling ignition sources. Each year, more than 270 million vehicle tires are disposed of in the United States. Recycling, reuse, and energy recovery are having a major impact, but tire storage continues to present an environmental and fire safety hazard. Scrap tires are not generally considered a hazardous waste; however, when a tire fire occurs, tires break down into hazardous compounds including gases, heavy metals, and oil. Chapter 35 states requirements for welding and hot work operations often associated with auto dismantlers businesses. Chapter 50 and the associated chapters address the storage and use of hazardous materials on site.

Inspection Authority: *2019 Oregon Fire Code*, the following have been added;

Required Inspections 107.2.3

107.2.3.1 Motor vehicle dismantler’s annual fire inspection: An annual fire inspection is required for the operation of a motor vehicle dismantling business licensed in the State of Oregon. Upon completion of the fire inspection, the fire department having jurisdiction shall provide the business owner with a written inspection report. See ORS 822.133(2)(f).

Temporary Rule:

Contacts: If you have questions or are in need of further information, contact David Mills at 503-934-8204, osfm.ofc@osp.oregon.gov

References:

2019 OFC Sections: 107.2.3

Oregon Revised Statute: 822.133(2)(f)

Oregon Administrative Rule: 735-152-0005